

ASSIGNED**AMENDED****APPLICATION FOR PERMIT**Serial No. **13273****TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of first receipt and filing in State Engineer's office **FEB 20 1950**
Returned to applicant for correction **MAY 22 1950**
Corrected application filed **JUN 26 1950**

The undersigned Jess Gardner % Tonopah Stage
Name of applicant
of Ely, County of White Pine,
State of Nevada, hereby make S application for
permission to appropriate the public waters of the State of Nevada, as
hereinafter stated. (If applicant is a corporation, give date and place
of incorporation.)

1. The source of the proposed appropriation is Warm Springs
Name of stream, lake, or other source
and tributaries
2. The amount of water applied for is One second-feet.
One second-foot equals 40 miners' inches
3. The water to be used for irrigation
Irrigation, power, mining, manufacturing, domestic, or other use
4. The water is to be diverted from its source at the following point:
in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 26 Whence the SE. Corner, Sec. 25, T. 13 N., R.
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.
60 E., M.D.B.&M. bears S. 80° 45' E., 9820 ft. dist.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is 120
- (b) Description of land to be irrigated NE $\frac{1}{4}$ SW $\frac{1}{4}$ & N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26, T.
Describe by legal subdivision, or if on unsurveyed land it should
13 N., R. 60 E., M.D.B.&M.
be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

- (c) Use will begin about Jan. 1 and end about Dec. 31 of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is horsepower.
- (e) Place of use
Give location of place of use by legal subdivision
- (f) Point of return of water to stream
Describe in same manner as point of diversion
- (g) State number and kinds of animals to be watered
- (h) Use will begin about _____ and end about _____, of each year.
Month Month
- (i) Remarks

DESCRIPTION OF PROPOSED WORKS

Reservoir 100 ft. by 200 ft., 4 ft. deep, ditches 3 ft. wide, 1 ft.

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water

deep.

is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works \$1000

6. Estimated time required to construct works already constructed

7. Remarks The waters of Warm Springs rise in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33,
T. 13 N., R. 60 E. and flow down Warm Springs Channel and are diverted
at a point described under Question 4.

Jesse Gardner, Applicant.

By

Compared PT-LM

This sheet inspected

, Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0

cubic feet per second, and not to exceed a yearly duty of 1.0 acre-feet per acre of land irrigated.

Actual construction work shall begin on or before April 10, 1952

Proof of commencement of work shall be filed before May 10, 1952

Work must be prosecuted with reasonable diligence and be completed on or before April 10, 1953

Proof of completion of work shall be filed before May 10, 1953

Application of water to beneficial use shall be made on or before

April 10, 1955

Proof of the application of water to beneficial

use must be filed with State Engineer on or before May 10, 1955

Map Filed April 24, 1950

Proof of commencement of work filed APR 11 1952

Proof of Completion of work filed APR 6 1953

PROOF OF BENEFICIAL USE FILED AUG 11 1954

of September, 1951

Certificate No. 136, issued Dec. 6, 1954 for 0.25%

Recorded Dec. 11, 1954. Bk. 178, Page 135

Walter P. Rice County Recorder

State Engineer

AUG 11 1954